

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>TREVON JACKSON,</b>	:	
	:	<b>3:16-CR-130</b>
<b>Petitioner</b>	:	
<b>v.</b>	:	
	:	<b>(JUDGE MANNION)</b>
<b>D.K. WHITE, Warden,</b>	:	
<b>Respondent</b>	:	

**ORDER**

For the reasons set forth in the Memorandum of this date, **IT IS  
HEREBY ORDERED THAT:**

1. Jackson's Motions for Compassionate Release from Prison and Transfer to Home Confinement because of the COVID-19 pandemic, will be construed by the court as a petition for writ of habeas corpus pursuant to 28 U.S.C. §2241, **(Docs. 51, 53 & 55)**. The Clerk will be directed to open these filings as a separate civil case and forward to the petitioner the appropriate paperwork for the filing of such an action, including the payment of the appropriate filing fee, or presentation of an application to proceed *in forma pauperis*. The petition is **DISMISSED WITHOUT PREJUDICE** due to his failure to exhaust his BOP administrative remedies

under 28 C.F.R. §§542.10, *et seq.* The clerk is then directed to close the case.

2. To the extent that Jackson's filings are considered as a motion for compassionate release, they will be considered appropriately filed in this criminal case and are **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction due to his failure to exhaust his BOP administrative remedies under §3582(c)(1)(A)(i).
3. Insofar as Jackson is challenging the decision by the BOP that he is not eligible for home confinement designation under the CARES Act, his petition is **DISMISSED** since the authority to make this determination lies with the BOP Director and not the court.
4. Jackson's Motion for Appointment of Counsel, **(Doc. 52)**, and his motion for oral argument, **(Doc. 56)**, are **DENIED**.

s/ Malachy E. Mannion

**MALACHY E. MANNION**  
**United States District Judge**

**Dated: June 5, 2020**

16-130-01-ORDER